THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 3838 of 2007

Dated: 03.04.2007

Between:

Kota Solman.

..... PETITIONER

AND

APSRTC, rep. by its Executive Director,
Vijayawada Zone, Imliban Bus Station, Hyderabad
and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 3838 of 2007

Order:

The petitioner was appointed as a Conductor in the respondents-APSRTC in the year 1980. He was issued a charge sheet, dated 24.05.2002, alleging that he concealed the facts of his arrest in a criminal case and remand in judicial custody from 16.05.2002 to 18.05.2002, and that he also submitted a fake sick certificate for covering his absence from 06.05.2002 to 21.05.2002. The petitioner submitted his explanation denying the said charges. Having not satisfied with the said explanation, an enquiry was conducted, and based on the enquiry report submitted by the Enquiry Officer, the 4th respondent terminated the services of the petitioner, by order dated 24.12.2002. Aggrieved by the said termination order, the petitioner filed appeal and review petition before the appellate and review authorities, which were rejected. The grievance of the petitioner is that subsequently he was acquitted from the criminal case and upon acquittal from the criminal case he filed a review petition before the 2nd respondent-Regional Manager on 23.08.2005 seeking to reconsider his case as per Circular P.D. No.43 of 1986, dated 16.04.1986 issued by the respondents-APSRTC, but so far no orders thereon have been passed. Hence, he filed the present writ petition.

Heard the learned counsel for the petitioner and the Learned Standing Counsel for the respondents-APSRTC. Both the counsel agreed for disposal of the writ petition with a direction to the

2nd respondent-Regional Manager to consider and dispose of the review petition filed by the petitioner on 23.08.2005.

Since the review petition, dated 23.08.2005, filed by the petitioner, seeking to reconsider his case as per Circular P.D. No. 43 of 1986, dated 16.04.1986, on the ground of his acquittal from the criminal case, is said to be pending consideration before the

2nd respondent-Regional Manager, and in view of the agreed stand taken by both the counsel, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following directions:

The 2nd respondent, namely the Regional Manager is directed to consider the review petition filed by the petitioner on 23.08.2005, in the light of Circular P.D. No.43 of 1986, dated 16.04.1986, issued by the respondents-APSRTC, and pass appropriate orders thereon in accordance with law.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 03.04.2007
Nsr